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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 TERRANCE JON IRBY,

11 Plaintiff,

12 v.

13 STATE OF WASHINGTON, et al.,

14 Defendant.  
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CASE NO. 3:15-cv-05208-RBL-JRC

ORDER

16 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.  
17 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining  
18 record, does hereby find and **ORDER:**

19 (1) The Court adopts the Report and Recommendation.

20 (2) Defendants' motions to dismiss (Dkts. 198, 208) are GRANTED IN PART and  
21 DENIED IN PART.

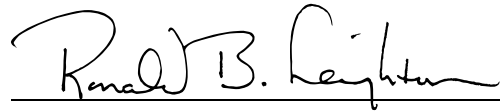
22 (3) Plaintiff's claims for access to courts and claims under the Americans with  
23 Disabilities Act are dismissed with leave to amend.  
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1 (4) All of plaintiff's remaining claims are dismissed without leave to amend.

2 (5) All outstanding motions are denied without prejudice.

3 (6) Plaintiff may file his second amended complaint on or before February 2, 2018.

4 **DATED** this 5<sup>th</sup> day of January, 2018.

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7 Ronald B. Leighton  
8 United States District Judge  
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